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1879

BY-LAWS

OF THE

PENNSYLVANIA

State Lunatic Hospital

AT

HARRISBURG,

WITH THE

ACTS OF THE LEGISLATURE ESTABLISHING THE SAME.



HARRISBURG, PA.

THEO. F. SCHEFFER, JOB PRINTER AND BOOKBINDER.

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THEO. F. SCHEFFER, JOB PRINTER AND BOOKBINDER.

1879.

EXECUTIVE CHAMBER,

Harrisburg, March 21, 1851.

I do hereby certify that I have carefully examined the annexed By-Laws for the government of the "PENNSYLVANIA STATE LUNATIC HOSPITAL," as submitted to my consideration by the Trustees, and I do hereby approve of the same.

WITNESS my hand the date above written.

WM. F. JOHNSTON.

Officers of the Hospital.

Board of Trustees:

JOHN L. ATLEE, M. D., *President, Lancaster.*

D. W. GROSS, *Secretary, Harrisburg.*

TRAILL GREEN, M. D., *Easton.*

HENRY GILBERT, *Harrisburg.*

WILLIAM CALDER, *Harrisburg.*

ROBERT A. LAMBERTON, *Harrisburg.*

DANIEL EPPLEY, *Harrisburg.*

JOHN M. POMEROY, *Chambersburg.*

HIRAM CORSON, *Conshohocken.*

Superintendent and Physician:

JOHN CURWEN, M. D.

Assistant Physicians:

J. Z. GERHARD, M. D.

GEORGE D. STAHLEY, M. D.

Steward:

BENJAMIN F. KENDIG.

Matron:

SARAH H. POLLOCK.

Treasurer:

JOHN A. WEIR, *Harrisburg.*

BY-LAWS.

CHAPTER I.

1. THE Board of Trustees shall elect one of their number President, who shall continue in office until the next annual meeting after his election, or until a successor is appointed. When the President is absent from a meeting, the members present shall appoint a President *pro tem*.

2. They shall elect one of their number Secretary, who shall attend all the meetings of the Board, keep a record of their proceedings, and hold his office until the next annual meeting of the Board.

3. They shall appoint a Committee of Audit, who shall hold their places until the next annual meeting after their appointment.

4. They shall elect a Treasurer, who shall hold his office during the pleasure of the Board; shall sign a bond for the faithful performance of his duties, and, whenever required, shall attend the meetings of the Board of Trustees.

5. The Board of Trustees shall hold their annual meeting on the second Thursday of October, in each and every year, for the purpose of receiving the annual report of the Superintendent and Treasurer, and to receive and adopt the annual report of the Trustees, which shall be prepared by the President, or some member of the Board, to be designated by him. They shall also hold quarterly meetings on the second Thursday of January, April and July, in each and every year.

6. Special meetings of the Board may be called by the President, at his discretion; and he shall call such meetings whenever three members shall make a written request for the same.

7. It shall be the duty of the Secretary to give notice to the members, by mail or otherwise, of all meetings, and if special, to state the business for which they are convened, at such time previous as the President, or the members calling the meeting, may direct.

8. The Hospital shall be visited by the whole Board at its annual meeting at the time above stated, and by at least a majority of the Board at the time of the quarterly meetings.

9. Of the members of the Board residing in or near Harrisburg, two shall be designated by the Secretary, of whom, in rotation, at least one shall visit the Hospital weekly; and two members shall be designated in like manner, who shall visit it monthly; a record of all of which visits and proceedings, shall be entered in a book to be provided for the purpose, which book shall be presented at each meeting of the Board; and also be open to the inspection of the members at all times. Any member of the Board of Trustees, not of these committees, shall have authority to visit with them.

CHAPTER II.

Of the Resident Officers of the Hospital.

1. The Officers of the Hospital shall consist of the Superintendent, of two Assistant Physicians, of a Steward and a Matron, all of whom shall reside on the premises, and devote their whole time to the interests of the Institution.

2. The Superintendent shall not resign his office without giving the Board at least three months notice, nor shall any of the other officers resign without giving the Superintendent a similar notice.

CHAPTER III.

Of the Duties of Superintendent.

1. The Superintendent shall be the Chief Executive officer of the Hospital. "He shall appoint and exercise entire control over all the subordinate officers and assistants in the Institution, and shall have entire direction of the duties of the same."

2. He shall prepare a code of rules and regulations for the government of those employed in the care of the patients, or on the premises, which shall be printed, and a copy furnished to each person thus employed.

3. He shall have the general superintendence of the buildings, grounds and farm, together with the stock, furniture and fixtures.

4. He shall visit all the patients daily, or learn their condition. He shall have the entire direction of their medical, moral and dietetic treatment; and his instructions respecting them, are to be implicitly obeyed by all persons about the establishment.

5. He shall obtain, as far as practicable, a complete history of every patient admitted into the Hospital, and shall keep, or cause to be kept for the use of the Institution, a register of the same and as full a record of the subsequent treatment and results, as he may deem likely to promote the interests of science and benefit the insane.

6. He shall receive and answer, or cause to be answered, all communications respecting the Hospital; and shall file all letters thus received, and keep in a book provided for the purpose, copies of all letters written in answer thereto.

7. Subject to the general instruction of the Board of Trustees, he shall determine what attendants and other assistants are necessary to be employed, and their respective places and duties, and shall arrange with them their rate of monthly wages.

8. At each visit of the Trustees, he shall exhibit the records of the Hospital, and at the quarterly meetings, shall give a written statement of its condition.

9. At the annual meeting on the second Thursday of October, he shall give a full and detailed report of the operations of the Hospital during the year ending on the 30th day of September preceeding, with tabular statements of the cases treated during the year, and of the condition of the Hospital, with such other observations as he may deem useful or interesting.

10. He shall immediately pay over to the Treasurer of the Hospital all monies which may be advanced for pay patients,

or which he may have received or collected, or which may have been received or collected by persons employed by him, and belonging to the Hospital.

11. Previous to the annual meeting of the Board, he shall cause to be prepared a statement of the stock, furniture, implements and stores on hand, with the estimated value of the same.

CHAPTER IV.

Of the Duties of the Treasurer.

1. The Treasurer shall give bonds in the sum of ten thousand dollars, for the faithful performance of the duties of his office, with such securities as shall be satisfactory to the Board of Trustees.

2. He shall collect all moneys due the Institution for board of patients or otherwise; shall receive, hold and disburse under the direction of the Trustees, all moneys which may be granted by the Legislature, or obtained from any other sources for the use of the Institution; and once in each year, on the second Thursday of October, and as much oftener as may be required, he shall exhibit an account of his receipts and expenditures, with all the vouchers therefor, for the examination of the Board. He shall also present a statement of his accounts at each quarterly meeting of the Board.

3. The Treasurer, on paying any bill or order of the Steward, shall take a voucher for such payment, and file the same in his office, and shall enter in his book, under the specific heads of expenditure, all sums paid by him, out of the treasury.

4. No order of the Steward shall be paid by the Treasurer, unless accompanied by a bill of particulars, specifying the object of the payment, and countersigned as "approved" by the Superintendent.

CHAPTER V.

Of the Duties of the Assistant Physicians.

1. The Assistant Physicians shall have charge of the shop, which they shall see is always kept in proper order, and shall prepare and superintend the administration of the medicine.

2. The Assistant Physicians shall have charge of the male and female departments, respectively, as the Superintendent may designate; and the Assistant Physician in charge of the male department, shall perform the duties of Supervisor.

3. They shall attend the Physician in his regular morning visits, and shall also visit all the patients each evening; shall carefully note their condition, and visit such as are under treatment as much oftener as may be necessary.

4. They shall see that all the directions of the Physician are faithfully executed, and shall promptly report all cases of neglect or abuse on the part of the attendants.

5. They shall carefully study the character and peculiarities of the patients; make themselves intimately acquainted with their disorder; exert over them all the moral influence in their power, and direct their exercise and amusements.

6. They shall, at the request of the Superintendent, keep a record of the cases, and perform all other services in the medical department which may be required.

7. In the absence of the Superintendent, each Assistant Physician shall have direction of that department to which he is assigned, but in matters of general concern the senior Assistant Physician shall represent the Superintendent.

CHAPTER VI.

Of the Duties of the Steward.

1. The Steward shall execute a bond, with sufficient sureties, to be approved by the Trustees, in the penalty of three thousand dollars, conditional that he will faithfully discharge the duties of his office, and pay over and account for all moneys belonging to the Hospital, which shall come into his hands; which bond shall be executed to the Treasurer of the Hospital, and filed in his office.

2. The Steward, under the direction of the Superintendent, shall purchase furniture, fuel, stores, implements, and stock for the farm, and all other necessary articles, and shall be responsible for the safe keeping and economical use of the same.

3. He shall keep clear, methodical and exact accounts of all purchases; of all receipts and expenditures of money, and of all charges on account of patients. He shall exhibit all his account books and recent vouchers to the Trustees, at their first visit in each month, and shall furnish a quarterly abstract of the same, both to the Treasurer and Trustees, at the annual and quarterly meetings in each year. Copies of all accounts which become due to the Institution, shall be furnished to the Treasurer monthly, and oftener at his request.

4. In all cases of purchase by the Steward, he shall require duplicate bills, on one of which he shall endorse an order upon the Treasurer to pay the amount of the bill, and on the other take a receipt for the order given by him on the Treasurer.

5. No order of the Steward shall be paid by the Treasurer, unless it is accompanied with the bill of items for the payment of which the order was given, nor unless the bill or order be countersigned or endorsed "approved" by the Superintendent.

6. The Steward shall keep one of the duplicate accounts, with the copy of the order on the Treasurer, in every such case of purchase by him, and make the proper entries, under the appropriate head of expenditure, in his books.

7. The Treasurer may from time to time advance to the Steward, on his own order, specifying that it is to pay incidental expenses, a sum not exceeding two hundred dollars. The Steward shall keep an accurate account in detail, of all such expenses paid out of the sums so advanced to him by the Treasurer, and shall settle the same monthly, or oftener if required. Such account shall be examined and approved by the Superintendent, before it is settled by the Treasurer, and a copy thereof with vouchers for all sums exceeding one dollar, shall be filed with the Treasurer. The Steward shall account for each sum of two hundred dollars, which he shall thus receive, before a further advance shall be made to him as aforesaid.

8. In the name of the Superintendent, and by his direction in each case, and not otherwise, the Steward shall hire attendants and assistants and agree with them for their wages; and

by like direction, he shall dismiss them when unfaithful, negligent or incompetent, and shall keep and settle their accounts.

9. He shall constantly observe the conduct of all persons employed in subordinate stations, see that in all respects they do their duty, and report to the Superintendent any instance of negligence, misconduct or abuse, that he may observe, or of which he may be informed.

10. Under the general direction of the Superintendent, he shall attend to the business of the farm, stock, garden, grounds, fences and out-buildings, and see that they are always kept in good order.

11. He shall also assist in maintaining the police of the establishment, shall see to the opening and closing of the house, and that the attendants and assistants rise and commence business immediately after the ringing of the morning bell, and that they retire in proper season at night; that the bell is rung at proper times; that the fires are regularly kindled and extinguished, as directed, and that the warmth, cleanliness and ventilation of the house is attended to. He shall observe the conduct of the inmates at the religious and other meetings, and when in the wards, and at all times shall exert what influence he can to promote the comfort and recovery of the patients.

12. He shall keep the account of the clothing of the male patients when they enter and leave the Hospital, and see that it is properly marked and preserved by their attendants.

13. He shall also receive visitors, give them all suitable information, and accompany them to such parts of the building and grounds as are open for examination.

CHAPTER VII.

Of the Duties of the Matron.

1. The Matron, under the general direction of the Superintendent, shall have the charge of the domestic concerns of the Institution, frequently inspect every department, and thus assist to secure the neat and orderly arrangement of the whole house, as well as faithfulness in the discharge of duty, of all persons engaged in subordinate trusts.

2. She shall have the general oversight and direction of the domestics, and shall superintend and direct the cooking and distribution of food, and in conjunction with the Steward, shall see that the supply is abundant, varied, well cooked and neatly served, in all the dining rooms of the Institution.

3. She shall frequently visit all parts of the Institution, in order to secure the faithful service of all persons employed, the neatness and good order of their respective departments, and the comfort and welfare of the whole household.

CHAPTER VIII.

Supervision and Attendance on Patients.

1. The Superintendent shall be authorized to employ, whenever he deems it expedient, one supervisor for the male, and one for the female department of the Institution. He may also employ one male and one female teacher for the instruction of the patients, and two attendants for each ward in the Institution.

2. He shall employ one watchman, who shall see to the general safety of the building from fire, and shall, during the night, regularly pass through all parts of the building not occupied by females. And one watchwoman who shall, during the same period, have charge of all parts of the house occupied by females.

3. The watchman and watchwoman shall commence their duties before the attendants retire at night, and, shall not leave the wards until after the attendants assume the charge of them in the morning.

4. All persons employed shall faithfully obey the rules prepared by the Superintendent.

CHAPTER IX.

General Rules.

1. No intoxicating drinks of any kind shall be used by any one in the establishment, unless upon the medical prescription of the Superintendent, and no one shall be employed who is

known to use them either at home or abroad. Nor shall there be any smoking of tobacco in or about the buildings.

2. No non-resident shall remain in the Institution at night, without the knowledge of the Superintendent.

CHAPTER X.

Visitors.

1. Strangers and others may be permitted to visit such parts of the Institution as are not occupied by patients, on any day except Sunday (on which day visitors shall not be admitted,) between the hours of 10 A. M. and 12 M., and between 2 and 4 P. M. But no visitor shall be admitted within the wards occupied by patients, without express permission from the Superintendent, and special care is to be taken that no amount of visiting is permitted in the wards, that might prove injurious to the patients.

CHAPTER XI.

Admission of Patients.

1. Preparatory to the admission of a patient (unless when committed by order of a court) the Superintendent shall be furnished with the certificate of a physician that he has seen and examined the individual, and believes him or her to be insane, with a request from a near relative or a friend, that the patient may be received into the Hospital, and a bond, with satisfactory security, for the payment of board and other expenses while in the Institution. All private patients thus received, shall make a payment of thirteen weeks board in advance when brought to the Hospital; and if taken away uncured, and against the advice and consent of the Superintendent, within that period, no part of said payment shall be refunded.

2. Whenever a patient is sent to the Hospital, by the order of any court, justice, judge, directors of the poor of a county, or the overseers of the poor of a township or poor-district, the order or warrant, or a copy thereof, by which such person is sent, shall be lodged with the Superintendent.

Those who may bring a patient with any such order or warrant, will be required to pay at the time of the admission of

the patient; for those supported by county or township authorities, seventy-eight dollars.

3. Each patient before admission shall be made perfectly clean, and be free from vermin, or any contagious or infectious disease.

4. Each male patient shall be provided with at least three new shirts, a new and substantial coat, vest and pantaloons, of strong woollen cloth, three pairs of woollen socks, a black stock or cravat, a good hat or cap, a pair of new shoes or boots, together with a comfortable outside garment.

5. Each female patient, in addition to the same quantity of undergarments, shoes and stockings, shall have a flannel petticoat, two good dresses, also a cloak or other outside garments. In case the patient is so much excited as not to admit of being thus clothed, other clothing that can be kept on, that is comfortable and in sufficient quantity, with a change thereof, may be substituted.

6. It is very desirable that extra and better apparel should be sent with those accustomed to it, that when their health is improved, and when they attend religious worship, walk or ride out, their self-respect may be preserved. In all cases, the patient's best clothing should be sent; it will be carefully preserved, and only used when deemed necessary for the purposes above mentioned. Jewelry and all superfluous articles of dress, knives, &c., should be left at home, as they are liable to be lost.

7. A written history of the case should be sent with the patient, and, if possible, some one acquainted with the individual, should accompany him to the Hospital, from whom minute, but often essential particulars may be learned.

8. The price of board, including washing, mending and attendance, for all who are supported by the authorities of the townships, will be three dollars a week. For private patients, or those supported by themselves or their friends, the price will vary from three dollars and fifty cents to ten dollars a week, according to the trouble and expense incurred, and according to their ability to pay. When patients are sent by the county or township authorities, payment is required at the time of admis-

sion, for twenty-six weeks in advance, and quarterly afterwards. When the patient is supported by the friends, payments are required quarterly in advance.

9. A bond, with satisfactory sureties, will be required for the payment of the board and expenses, and for the removal of the patient when discharged, from all persons. Those who bring friends should be prepared to give such a bond; and if strangers, bring evidence of their responsibility.

Bonds and Forms.

FORM OF BOND FOR COUNTIES.

WHEREAS,
of of the county of
has been admitted a patient in the Pennsylvania State Lunatic Hospital, at Harrisburg, we,
the Directors of the Poor of the county of in
behalf of the inhabitants of said county, do hereby promise
. Treasurer of said Hospital,
to pay him, or his successor in office, the sum of
Dollars and cents per week, for the board of said
. so long as shall continue a patient in said Hos-
pital, with such extra charges as may be occasioned by requiring
more than ordinary care and attention, to provide for suitable
clothing, and to pay for all such necessary articles of clothing as shall
be procured for by the Steward of the said Hospital, and to re-
move from the said Hospital whenever the room occupied by
shall be required for a class of patients having preference by law to
be received into said Hospital; and if shall be removed at the
request of
before the expiration of six calendar months after admission, to pay

board for twenty-six weeks, unless shall be sooner cured. Also, to pay, not exceeding fifty dollars, for all damages may do to the furniture and other property of said Hospital, and for reasonable charges in case of elopement, and funeral charges in case of death.

Payment to be made quarterly in advance, and at the time of removal, with interest on each bill from and after the time it becomes due.

Witness our hands this . . day of . A. D. 18

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Directors of the Poor of the County of

FORM OF BOND FOR TOWNSHIPS.

WHEREAS, a resident of
 of the county of . . . has
 been admitted a patient in the Pennsylvania State Lunatic Hospital, at
 Harrisburg, we,
 the Overseers of the Poor of the township of
 in the county of in behalf of the inhabitants of said
 township, do hereby promise Treasurer
 of said Hospital, to pay him or his successor in said office, the sum of
 . . . dollars and . . cents per week, for the board
 of said so long as he shall continue a
 patient in said Hospital, with such extra charges as may be occasioned
 by requiring more than ordinary care and attention, to provide
 for suitable clothing, and to pay for all such necessary articles of
 clothing as shall be procured for by the Steward of said Hospital,
 and to remove from said Hospital whenever the room occupied
 by shall be required for a class of patients having preference by
 law to be received into said Hospital; and if he shall be removed at
 the request of before the expiration of six
 calendar months after admission, to pay board for twenty-six weeks,

unless he shall be sooner cured. Also, to pay, not exceeding fifty dollars, for all damages he may do to the furniture or other property of said Hospital, and for reasonable charges in case of elopement, and funeral charges in case of death.

Payment to be made quarterly, in advance, and at the time of removal, with interest on each bill from and after the time it becomes due.

Witness our hands this . . . day of . . . A. D. 18

. { Overseers of the Poor of
 { . . . township,
 { in the county of
 {

Form of Bond for Private Patients.

PHYSICIANS' CERTIFICATE.

WE of
 in the county of do certify that we have this
 day seen and personally examined
 of in the county of
 and believe . . . to be insane, and a proper patient to be sent to
 the Pennsylvania Sate Lunatic Hospital.

. M. D.

. M. D.

. 18 . . .

I, of in the
 county of do certify that the above certifi-
 cate has been sworn to, or affirmed, before me, and that the signa-
 tures are genuine, and the signers are respectable physicians of . . .

. [L. S.]
 18 . . .

REQUEST FOR ADMISSION.

I, of
 hereby request that of the
 patient above named, may be admitted, as a patient, into the Penn-
 sylvania State Lunatic Hospital.

.
 18

BOND.

Know all men by these presents, That we,
 of in the
 county of are held and firmly bound unto
 Treasurer of the Pennsylvania State
 Lunatic Hospital, and his successors in office, in the sum of five hun-
 dred dollars, for the payment of which we jointly and severally bind
 ourselves by these presents.

WHEREAS, of of
 the county and who is insane, has been
 admitted a patient in the Pennsylvania State Lunatic Hospital, at
 Harrisburg: Now, therefore, the condition of this obligation is, that
 if the said obligors shall pay to the said Treasurer or his successors
 in office, the sum of dollars and
 cents per week, for the board of said patient, so long as shall
 continue in said Hospital, with such extra charges as may be occa-
 sioned by requiring more than ordinary care and attention, and
 shall provide for suitable clothing, and shall pay for all such
 necessary articles of clothing as shall be procured for by the
 Steward of said Hospital, and shall be removed from said Hospital
 whenever required to do so by the Superintendent; and if shall
 be removed by the request of either of us or by any one, before the
 expiration of three calendar months after the reception, then if said
 obligors pay board for thirteen weeks, unless should be sooner
 cured, and if they also pay, not exceeding fifty dollars, for all dam-
 ages may do to the furniture or other property of the Hospital,

and for reasonable charges in case of death ; such payment for clothing and board to be made in advance, quarterly, and at the time of removal, with interest on each bill from and after the time it becomes due, then this obligation to be void, otherwise to remain in force.

Sealed with our seals, and dated the . . . day of . . .

18 . . .

[L. S.]

[L. S.]

Signed and sealed in presence of

.



Acts of Assembly

RELATIVE

TO INSANE PERSONS.

AN ACT

To establish an asylum for the insane poor of this Commonwealth, to be called
“The Pennsylvania State Lunatic Hospital and Union Asylum for the
Insane.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob M. Haldeman, Luther Reily, Hugh Campbell, Charles B. Trego, and Joseph Konigmacher, be and they are hereby appointed commissioners to select and purchase a tract of land of not less than one hundred acres, situated within ten miles of Harrisburg, which said tract of land shall not cost more than ten thousand dollars; shall have a never-failing supply of water on the premises, and be conveniently situated for receiving supplies of fuel: *Provided*, That the said commissioners shall receive no compensation for their services, other than their necessary expenses: *And provided also*, That if any person or persons shall make a gift of such a tract, the said commissioners are hereby authorized to receive a deed for the same, in trust for the Pennsylvania State Lunatic Hospital, and the sum of fifteen thousand dollars is hereby appropriated for the purpose of erecting and constructing the hereinafter described building and buildings: *Provided*, That the said fifteen thousand dollars shall not be paid until the conveyance of the aforesaid tract of land shall have been made as provided for in this section: *Provided also*, That the sum hereby appropriated shall be retained by the

State Treasurer out of the amount of relief notes to be cancelled on the thirty-first of July, one thousand eight hundred and forty-five.

SECTION 2. At any time after said site shall be obtained by the said commissioners, not exceeding three months, they shall contract for the erection of said asylum, on the most approved plan, on such terms as are just and prudent : *Provided*, That said hospital buildings shall be constructed in the most approved manner, of brick or unhewn stone, the foundation to be substantial and of rough mason work ; the basements above ground of hammered stone ; water-table, window and door sills, window and door caps, and door steps of the same material ; partition walls to be of brick, and to contain flues for ventilators, furnace flues for heating, and also water pipes if necessary ; the roof to be of slate or tin plate fire proof.

SECTION 3. Said commissioners shall, on or before the first day of January, one thousand eight hundred and forty-six, and on the first day of January annually thereafter, until the buildings are completed respectively, render to the proper accounting officers of the Commonwealth an exact account of all the contracts, expenses and liabilities which they shall have incurred or authorized in the execution of their commissions, with vouchers for the same ; and in case of their failure so to do, their authority to draw on the State Treasurer for such sum or sums of money as shall hereafter be specified, shall cease ; and said commissioners shall so build, finish and furnish said asylum, that the whole cost of said buildings and furniture, with suitable apparatus for heating the rooms, for cooking, and for furnishing water for all the uses of the establishment, to accommodate two hundred and fifty patients and the necessary attendants, shall not exceed fifty thousand dollars. *And provided also*, That the commissioners appointed by this act, before entering upon their duties, shall give bond with such security as may be required by the Executive, for the faithful and proper application of the funds placed in their hands, and performance of their duties.

SECTION. 4. The Treasurer is hereby directed to pay to the said commissioners, on the warrant of the Governor, out of any moneys in the treasury not otherwise appropriated, such sum or

sums of money as they may require for building said asylum, together with the necessary out buildings, and the complete finishing and furnishing of the same, not exceeding in the whole the said sum of fifteen thousand dollars, at such time as they may be wanted, the expenditure thereof to be accounted for to the Auditor General of the Commonwealth.

SECTION 5. The Governor shall nominate, and by and with the advice and consent of the Senate, appoint nine persons to be trustees of the said institution, who shall be a body politic and corporate, by the name and style of the "Trustees of the Pennsylvania State Lunatic Hospital and Union Asylum for the Insane," and shall manage and direct the concerns of the Institution, and make all necessary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth; and shall have power to receive, hold, dispose of, and convey all real and personal property conveyed to them by gift, devise or otherwise, for the use of said Institution, and shall serve without compensation; of those first appointed, three shall serve for one year, three for two years, three for three years, and at the expiration of the respective periods, the vacancies to be filled by appointments for three years; and should any vacancy occur by death, resignation or otherwise, of any trustee, such vacancy shall be filled by appointment for the unexpired time of such trustee. The said trustees shall have charge of the general interests of the Institution; they shall appoint the Superintendent, who shall be a skillful physician, subject to removal or re-election no oftener than in periods of ten years, except by infidelity to the trust reposed in him, or for incompetency—said physician shall always reside in the asylum, he shall be a married man, and his family shall reside with him; the trustees, by and with the consent of the Governor, shall make such by-laws and regulations for the government of the asylum, as shall be necessary; they shall appoint a treasurer, who shall give bonds to the Commonwealth for the faithful discharge of his duties; they shall determine his compensation for services; also the salaries of the other officers and assistants, who may be necessary for the just and economical administration of the affairs of said hospital.

SECTION 6. The superintending physician shall appoint and exercise entire control over all subordinate officers and assistants in the Institution, and shall have entire direction of the duties of the same.

SECTION 7. The said trustees, and their successors in office, shall have power to take and hold in trust, for the use and benefit of said asylum, any grant or devise of land, and any donation or bequest of money or other personal property to be applied to the maintenance of insane persons, in or to the general use of the asylum.

SECTION 8. The admission of insane patients from the several counties of the Commonwealth, shall be in the ratio of their insane population: *Provided*, That each county shall be entitled to send at least one insane patient.

SECTION 9. Indigent persons and paupers shall be charged for medical attendance, board, and nursing, while residents in the hospital, no more than the actual cost; paying patients, whose friends can pay their expenses, and who are not chargeable upon townships or counties, shall pay according to the terms directed by the trustees.

SECTION 10. The courts of this Commonwealth shall have power to commit to said asylum any person, who, having been charged with an offence punishable by imprisonment or death, who shall have been found to have been insane, in the manner now provided by law, at the time the offence was committed, and who still continues insane; and the expenses of said persons, if in indigent circumstances, shall be paid by the county to which he or she may belong by resident.

SECTION 11. That it shall be the duty of the court in all cases where they shall commit any person to the asylum, to certify to the trustees the legal settlement of such person, if he or she have any legal settlement in this Commonwealth: and if such person shall have no such settlement, then to certify the place of residence of such person at the time of offence committed, on application made, and the poor district so certified to be the place of settlement or residence of such person, shall be chargeable with the expense of his or her care and maintenance, and removal to and from said asylum: *Provided*, That the set-

tlement or residence of any such person shall not be so certified, until after due notice shall have been given to the constituted authority having charge of poor in the district to be charged thereby.

SECTION 12. The several constituted authorities having care and charge of the poor in the respective counties, districts, and townships of this Commonwealth, shall have authority to send to the asylum such insane paupers under their charge as they may deem proper subjects; and they shall be severally chargeable with the expenses of the care, and maintenance, and removal to and from the asylum, of such paupers.

SECTION 13. If the guardian, directors, or overseers of the poor, to whom any patient who shall be in the asylum is chargeable, shall neglect or refuse, upon demand made, to pay to the trustees the expenses of the care, maintenance, and removal of such patient, and also, in the event of death, of the funeral expenses of such patient, the said trustees are hereby authorized and empowered to collect the same as debts of a like nature are now collected.

SECTION 14. That if any person shall apply to any court of record within this Commonwealth, having jurisdiction of offences which are punishable by imprisonment for the term of ninety days or longer, for the commitment to said asylum any insane person within the county in which such court has jurisdiction, it shall be the duty of said court to inquire into the fact of insanity in the manner provided by law; and if such court shall be satisfied that such person is, by reason of insanity, unsafe to be at large, or is suffering any unnecessary duress or hardship, such court shall, on the application aforesaid, commit such insane person to said asylum.

SECTION 15. In order of admission, the indigent insane of this Commonwealth shall always have precedence of the rich; and while the finances of the State do not permit ample provisions for all cases of insanity, recent cases shall have preference over those of long standing.

SECTION 16. The Governor, judges of the several courts of record in the Commonwealth, and the members of the Legislature, shall be ex-officio visitors of the Institution.

SECTION 17. That the commissioners appointed by the first section of this act, are hereby authorized and required to appoint a committee of five in every city and county of this Commonwealth, to solicit and receive private subscriptions for this laudable and benevolent object, and from time to time to pay the same over to the State Treasurer; and the State Treasurer is hereby directed to pay to the commissioners aforesaid, all such sum or sums of money thus received, to aid in the erection of said asylum.

FINDLEY PATTERSON,
Speaker of the House of Representatives.
WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The fourteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

A SUPPLEMENT

To the act to establish an Asylum for the Insane Poor of this Commonwealth, passed April fourteenth, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the asylum for the insane poor of this Commonwealth, as established by the act to which this is a supplement, be and the same is hereby changed to that of the Pennsylvania State Lunatic Hospital; and so much of the third section of said act as requires the commissioners to build, finish, furnish and otherwise complete the said asylum for the sum of fifty thousand dollars, is hereby repealed; and it is hereby declared to be the intent and meaning of the act to which this is a supplement, that the said sum of fifty thousand dollars should be contributed by the State, for the purpose of erecting an asylum for the insane poor of this Commonwealth, and the said sum is hereby specifically appropriated for that purpose, to be paid by the State Treasurer, on warrants drawn by the Gover-

nor in favor of the commissioners named in the said act, at such times as the same may be required for erecting, finishing, and otherwise completing said asylum: *Provided*, That not more than one-third of said sum shall be drawn from the treasury in any one year: *And provided further*, That the names of Aaron Bombaugh, John A. Weir and James Fox, of the borough of Harrisburg, be added to the list of commissioners named in the act to which this is a supplement: *And provided*, That the fifteen thousand dollars appropriated by the act to which this is a supplement, shall be considered as a part of the fifty thousand dollars hereby appropriated: *Provided further*, That no part of said money shall be drawn from the treasury, until contracts shall have been actually made for the commencement of the said buildings; and no greater sum than ten thousand dollars shall be drawn from the treasury at any one time, or until the commissioners shall have filed vouchers for the amount drawn.

WM. F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The eleventh day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

A SUPPLEMENT

To the several Acts of Assembly relative to the Pennsylvania State Lunatic Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when application shall be made under the fourteenth section of the act of the fourteenth of April, 1845, to which this is supplementary, to any court of this Commonwealth, for the commitment of any person to the Pennsylvania State Lunatic Hospital, it shall be lawful for such court to either inquire into the fact of insanity in a summary way, after giving the notice required by law to the alleged lunatic and his or her friends or kindred or by avoiding an inquest, at the option of the court. And in all cases it shall be lawful for the several courts of this Commonwealth to use their discretion in sending insane persons, who are unsafe to be at large, to said hospital, or cause them to be confined elsewhere, as the said courts shall believe the case to be curable or otherwise.

SECTION 2. No person shall hereafter be sent to said Lunatic Hospital under the tenth section of the act of the fourteenth of April, 1845, or any other law of this Commonwealth, who shall have been charged with homicide, or having endeavored or attempted to commit the same, or to commit any arson, rape, robbery or burglary, and have been acquitted of any such offences on the ground of insanity, or been proceeded against under the fifty-ninth or sixtieth sections of the Act of the thirteenth of June 1836, relative to lunatics and habitual drunkards, where the court trying such person, or hearing the case shall be satisfied that it is dangerous for said lunatic to be at large, on account of having committed or attempted to commit either of the crimes aforesaid; but such person shall be confined in the penitentiary of the proper district, or the prison of the proper county: *Provided,* That said court shall still have power to order any such person to be confined in the said Lunatic Hospital, if, on full

examination, it shall be satisfied that there is reason to believe that a cure of the insanity may be speedily effected by sending him or her thereto.

SECTION 3. In every case where a lunatic has been or shall be committed to said Hospital, after an acquittal of any crime on the ground of insanity, or after an investigation in court, under the fifty-ninth and sixtieth sections of the Act of the thirteenth of June, 1836, or on account of it being adjudged dangerous for such lunatic to be at large; and in all cases where any lunatic has been or shall be removed thereto from either of the penitentiaries or any prison of this Commonwealth, under the order of a Judge, or of any Court, it shall be lawful for the trustees of said Hospital, with the aid of the superintending physician, to inquire carefully into the situation of such lunatic; and if a majority of the board, including the physician, shall be satisfied that there is no reasonable prospect of a cure of the insanity being effected by a retention of the lunatic in the Hospital, they shall, at the expense of the proper city or county, cause him or her to be removed to the prison of the proper county, or the penitentiary from which he or she was sent.

SECTION 4. Whenever an indigent insane person shall hereafter be sent to said Hospital, the city or county from which he or she was sent shall be liable to the trustees of the Hospital for his or her maintenance, and shall have remedy over against the proper township where, by existing laws, the township is liable for the support of such pauper; and the overseers of the poor of the township shall have remedy over against the property of the pauper, or against any relative required by law to maintain him or her, to the extent of their liability under the poor law.

SECTION 5. In all cases where money is now or hereafter shall become due to said Hospital from any township or county on account of the maintenance of any person sent there by the proper legal authorities, and no suit is now pending for the recovery thereof, it shall be lawful for the Treasurer of the Hospital to cause a statement of the account, with notice of the amount claimed, to be served on the commissioners of the proper county, or the overseers of the poor of the township: and if the same is not paid within thirty days after such notice and demand,

to place such claim in the hands of the Attorney General of the Commonwealth, whose official duty it shall be to cause suit to be brought therefor, in the name of the corporation, in the Court of Common Pleas of Dauphin county; and the whole proceeding for the recovery of such debt shall be conducted in the manner, and the action have like precedence as suits for claims due the Commonwealth; and sections one and two of the Act of the eighth of May, 1855, pamphlet laws, page 515, be and the same are hereby repealed.

SECTION 6. On the application of the friends or relatives of any insane person now or who may hereafter be confined in said Hospital, to the Court of Common Pleas of Dauphin county, or to the President Judge of said Court, in vacation, it shall be lawful for said Court or Judge, where the same may be done with safety to the community, to deliver over to such friends or relatives the person so confined; but before so delivering over such lunatic, said Court or Judge may require sufficient security to be given in the name of the Commonwealth, that such lunatic shall do no injury to the person or property of any one when at large, to continue during such term of time as the Court or Judge may direct.

APPROVED April 8, 1861.

AN ACT

To provide for the admission of certain classes of the Insane into Hospitals for the Insane in this Commonwealth, and their discharge therefrom.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That insane persons may be placed in a Hospital for the Insane by their legal guardians, or by their relatives or friends in case they have no guardians, but never without the certificate of two or more reputable physicians, after a personal examination, made within one week of the date thereof, and this certificate to be duly acknowledged and sworn to, or affirmed before

some magistrate or judicial officer, who shall certify to the genuineness of the signature and to the respectability of the signers.

SECTION 2. That it shall be unlawful, and be deemed a misdemeanor in law, punishable by a fine of not exceeding one hundred dollars, for any Superintendent, Officer, Physician or other employee, of any Insane Asylum to intercept, delay or interfere with, in any manner whatsoever, the transmission of any letter or other written communication addressed by an inmate of any Insane Asylum to his or her counsel, residing in the county in which the home of the patient is, or in the city or county in which the Asylum is located.

SECTION 3. On a written statement, properly sworn to or affirmed, being addressed by some respectable person to any law judge, that a certain person then confined in a Hospital for the Insane, is not insane, and is thus unjustly deprived of his liberty, the judge shall issue a writ of *habeas corpus*, commanding that the said alleged lunatic be brought before him for a public hearing, where the question of his or her alleged lunacy may be determined, and where the *onus* of proving the said alleged lunatic to be insane shall rest upon such persons as are restraining him or her of his or her liberty.

SECTION 4. Whenever any person is acquitted on a criminal suit, on the ground of insanity the jury shall declare this fact in their verdict, and the court shall order the prisoner to be committed to some place of confinement for safe keeping or treatment, there to be retained until he may be discharged in the manner provided in the next section.

SECTION 5. If after a confinement of three months' duration, any law judge shall be satisfied by the evidence presented to him that the prisoner has recovered, and that the paroxysm of insanity in which the criminal act was committed, was the first and only one he had ever experienced, he may order his unconditional discharge; if, however, it shall appear that such paroxysm of insanity was preceeded by at least one other, then the court may, in its discretion, appoint a guardian of his person, and to him commit the care of the prisoner, said guardian giving bonds for any damage his ward may commit: *Provided always*, That in case of homicide or attempted homicide, the prisoner shall not

be discharged unless in the unanimous opinion of the Superintendent and the managers of the Hospital, and the court before which he or she was tried, he or she has recovered and is safe to be at large.

SECTION 6. Insane persons may be placed in a hospital by order of any court or law judge, after the following course of proceedings, namely: On statement, in writing, of any respectable person, that a certain person is insane, and that the welfare of himself or of others requires his restraint, it shall be the duty of the judge to appoint, immediately, a commission, who shall inquire into and report upon the facts of the case. This commission shall be composed of three persons, one of whom at least shall be a physician and another a lawyer; in their inquisition they shall hear such evidence as may be offered touching the merits of the case, as well as the statements of the party complained of or of his counsel; if, in their opinion, it is a suitable case for confinement, the judge shall issue his warrant for such disposition of the insane person as will secure the object of the measure.

SECTION 7. On statement, in writing, to any law judge by some friend of the party, that a certain person placed in a hospital under the fifth section, is losing his bodily health, and that consequently his welfare would be promoted by his discharge or that his mental disorder has so far changed its character as to render his further confinement unnecessary, the judge shall make suitable inquisition into the merits of the case, and according to its results, may or may not order the discharge of the person.

SECTION 8. Persons placed in any hospital for the insane, may be removed therefrom by parties who have become responsible for the payment of their expenses: *Provided*, That such obligation was the result of their own free act and accord, and not of the operation of the law, and that its terms require the removal of the patient in order to avoid further responsibility.

SECTION 9. If it shall be made to appear to any law judge that a certain insane person is manifestly suffering from the want of proper care or treatment, he shall order such person to be placed in some hospital for the insane, at the expense of those who are legally bound to maintain such insane person; but no such order

shall be made without due notice of the application therefor, shall have been served upon the persons to be affected thereby and hearing had thereon.

SECTION 10. If the superintendent or officers of any hospital for the insane shall receive any person into the hospital after full compliance with the provisions of this act, no responsibility shall be incurred by them for any detention in the hospital.

SECTION 11. That nothing in this act shall be construed so as to deprive any alleged lunatic or habitual drunkard of the benefit of the writ of *habeas corpus* or trial by jury, or any other remedy guaranteed to alleged lunatics or habitual drunkards by any existing laws or statutes of the Commonwealth of Pennsylvania.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JOHN W. GEARY.



